

Hon. Robert J. Bryan

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

NATHEN BARTON,

Plaintiff,

v.

ASSET REALTY, LLC, and
PIPELINEPLATFORM.COM LLC

Defendants.

Case No: 3:21-cv-05462-RJB

**STRICT REPLY RE DEFENDANTS'
JOINT MOTION TO DISMISS
COMPLAINT FOR FAILURE TO STATE
A CLAIM
(Fed. R. Civ. P. 12(b)(6))**

**NOTE ON MOTION CALENDAR:
September 24, 2021**

I. Strict Reply

Defendants Asset Realty, LLC and PipelinePlatform.com, LLC brought a joint motion [Dkt. No. 11] requesting the Court dismiss Plaintiff's original Complaint in its entirety with prejudice for failure to state a claim on which relief could be granted, pursuant to Fed. R. Civ. P. 12(b)(6). Plaintiff then filed a first Amended Complaint [Dkt. No. 13] at the same time as his timely Response [Dkt. No. 14] to the motion to dismiss. In the Response, the Plaintiff argued that his Amended Complaint filed while the motion to dismiss was pending rendered the motion moot. Defendants then brought a Joint Motion to Dismiss First Amended Complaint [Dkt. No. 18], which is currently noted on the Court's motion calendar for October 8, 2021.

1 DATED this 24th day of September, 2021.

2 WESTERN WASHINGTON LAW GROUP. PLLC

3 /s/ Robert J. Cadranel

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CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2021, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF System, which will automatically generate a Notice of Electronic Filing to all parties in the case who are registered users of the CM/ECF System, which includes the Plaintiff. The said Notice of Electronic Filing specifically identifies recipients of electronic notice.

Executed on September 24, 2021.

/s/ Robert J. Cadranel

ROBERT J. CADRANELL, WSBA #41773